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4 August 1972

MEMORANDUM FOR THE RECORD

SUBJECT: Request for Information re Agency Public Information
Activities

1. Chairman Moorhead, of the Foreign Operations and Government Information Subcommittee, House Government Operations Committee, as part of a Government-wide study, has requested the Director to provide certain information on the Agency's public information activities.
2. On the basis of an Agency-wide canvass, we simply have no information to provide (see attached).
3. The principal issue of concern is to avoid any acknowledgment in our response that the Committee, by virtue of its authority to study "the operation of Government activities at all levels with a view to determining its economy and efficiency," has a right to information on the Agency's activities and functions and thus preserve for the record that the exclusive jurisdiction of Agency activities and functions resides with the House Armed Services and Appropriations Subcommittees.
4. It is of interest to note that the House Committee on Expenditures in the Executive Departments, which is the predecessor of the House Government Operations Committee, was the committee of jurisdiction for the National Security Act of 1947, which established the Agency.
5. So far we have been fairly successful in avoiding any showdown on the issue of the House Government Operations' jurisdiction over the Agency by cooperating wherever possible on an informal basis. In one case in recent years the jurisdictional issue was avoided when the House Armed Services Committee informed the Government Operations Committee that it was already investigating a matter of interest to the Government Operations Committee and cited the House rule which excluded one committee from investigating a matter which was already under investigation by another committee.

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6. Recommendation

Although the instant request from the Foreign Operations and Government Information Subcommittee is innocuous, the request does raise an issue of principle and possible future precedent. For this reason it is recommended that the request be handled as follows:


A. First, attempt to avoid a written response by calling the responsible staff personnel, explaining that, of course, we have no information to report because we are solely concerned with foreign intelligence matters and are precluded from any domestic activities which would justify the public information activities and the public relations contracts in which they are interested. If this fails...

B. (1) Respond in writing (see attached letter which is responsive but which does not join the issue concerning jurisdictional authority), or...

(2) Respond in writing with the same letter but adding the underscored wording in paragraph two which by constituting a reply infers jurisdictional authority;

C. Finally, apprise our CIA Subcommittees of the request and determine if they would like to go to issue with the Government Operations Committee on the basis that the CIA Subcommittees exert exclusive jurisdiction over Agency functions and activities. This course of action is not recommended because the substance of the inquiry is inconsequential as it affects Agency activities.

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Assistant Legislative Counsel

CONCURRENCE:

General Counsel

Date

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